

AMENDED IN ASSEMBLY APRIL 9, 2012

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2208

Introduced by Assembly Member Perea

February 23, 2012

An act to add Section 116337 to the Health and Safety Code, relating to drinking water, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2208, as amended, Perea. Community water systems: community of Lanare.

Existing law, the California Safe Drinking Water Act, requires the State Department of Public Health to administer provisions relating to the regulation of drinking water to protect public health. Existing law, the Safe Drinking Water State Revolving Fund Law of 1997, establishes the Safe Drinking Water State Revolving Fund, which is continuously appropriated to the department for the provision of grants and revolving fund loans for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Existing law limits grants for planning, engineering studies, environmental documentation, and design of a single project to \$500,000.

Existing law, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, ~~an initiative~~, authorizes the issuance of general obligation bonds, a portion of which is made available to the department, upon appropriation by the Legislature, to address the most critical water needs of the state,

including the provision of safe drinking water to all Californians, the protection of water quality and the environment, and the improvement of water supply reliability.

This bill would require the Lanare Community Services District to conduct a feasibility study, as prescribed, *that would, in part, consider the consolidation or merger of the community water systems of the communities of Lanare and Riverdale*, to identify and recommend a project that would solve arsenic contamination in the community of Lanare. *This bill would prohibit the department from taking action on any project relating to the community water system of the community of Riverdale until this feasibility study is complete. This bill would provide that if the study recommends the consolidation or merger of these community water systems, and if either community, or both, applies to the department for funding from the funds described above, any funds awarded by the department shall be used to implement the study's recommendation.* By requiring the Lanare Community Services District to conduct a feasibility study, this bill would impose a state-mandated local program.

This bill would appropriate unspecified sums from the Safe Drinking Water State Revolving Fund and the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 to the department for the purposes of remitting funds to the Lanare Community Services District to compensate the district for the costs of implementing these provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 116337 is added to the Health and Safety
- 2 Code, to read:
- 3 116337. (a) The Lanare Community Services District shall
- 4 conduct ~~and~~, publish, *and submit to the State Department of Public*

1 *Health*, as soon as practicable, a feasibility study to identify and
2 recommend a project that will solve arsenic contamination in the
3 community of Lanare. The feasibility study shall, at a minimum,
4 do all of the following:

5 (1) Identify and analyze potential projects, including, but not
6 limited to, ~~constructing a connection between the consolidation~~
7 *or merger of* the community water systems of the Lanare
8 Community Services District and the Riverdale Public Utilities
9 District.

10 (2) Identify the long-term costs and the cost-effectiveness of
11 each project, including whether the ongoing costs of operations
12 and maintenance can be supported by the ratepayers in the
13 community of Lanare.

14 (3) Recommend the project that is the most feasible, effective,
15 and cost-effective solution to arsenic contamination in the
16 community of Lanare.

17 *(b) The department shall not take action on any project relating*
18 *to the community water system of the community of Riverdale until*
19 *the Lanare Community Services District completes the feasibility*
20 *study pursuant to subdivision (a).*

21 *(c) If the study recommends consolidation or merger of the*
22 *community water systems of the community of Lanare and the*
23 *community of Riverdale, and if either community, or both, applies*
24 *to the department for funding from the Safe Drinking Water State*
25 *Revolving Fund or the Safe Drinking Water, Water Quality and*
26 *Supply, Flood Control, River Coastal Protection Fund of 2006,*
27 *any funds awarded by the department shall be used to implement*
28 *the study's recommendation.*

29 ~~(b)~~

30 *(d) The sum of ____ dollars (\$____) is hereby appropriated*
31 *from the Safe Drinking Water State Revolving Fund and the Safe*
32 *Drinking Water, Water Quality and Supply, Flood Control, River*
33 *and Coastal Protection Fund of 2006 to the department for the*
34 *purpose of compensating the Lanare Community Services District*
35 *for the costs of conducting the feasibility study required by*
36 *subdivision (a).*

37 SEC. 2. If the Commission on State Mandates determines that
38 this act contains costs mandated by the state, reimbursement to
39 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

O